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HOUSE BILL 937

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Richard D. Vigil

AN ACT

RELATING TO PUBLIC SCHOOL PERSONNEL; PROVIDING FOR TERMINATION
AND DISCHARGE HEARINGS TO BE HELD BY LOCAL SCHOOL BOARDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-5-4 NMSA 1978 (being Laws 1967,
Chapter 16, Section 28, as amended) is amended to read:

"22-5-4. LOCAL SCHOOL BOARDS--POWERS--DUTIES.--A local
school board shall have the following powers or duties:

A. subject to the rules of the department, develop
educational policies for the school district;

B. employ a local superintendent for the school
district and fix ~~his~~ the superintendent's salary;

C. review and approve the school district budget;

D. acquire, lease and dispose of property;

E. have the capacity to sue and be sued;

1 F. acquire property by eminent domain pursuant to
2 the procedures provided in the Eminent Domain Code;

3 G. issue general obligation bonds of the school
4 district;

5 H. provide for the repair of and maintain all
6 property belonging to the school district;

7 I. for good cause and upon order of the district
8 court, subpoena witnesses and documents in connection with a
9 hearing concerning any powers or duties of the local school
10 board;

11 J. except for expenditures for salaries, contract
12 for the expenditure of money according to the provisions of the
13 Procurement Code;

14 K. adopt rules pertaining to the administration of
15 all powers or duties of the local school board;

16 L. accept or reject any charitable gift, grant,
17 devise or bequest. The particular gift, grant, devise or
18 bequest accepted shall be considered an asset of the school
19 district or the public school to which it is given;

20 M. offer and, upon compliance with the conditions
21 of such offer, pay rewards for information leading to the
22 arrest and conviction or other appropriate disciplinary
23 disposition by the courts or juvenile authorities of offenders
24 in case of theft, defacement or destruction of school district
25 property. All such rewards shall be paid from school district

.155969.1

underscoring material = new
[bracketed material] = delete

1 funds in accordance with rules promulgated by the department;
2 [~~and~~]

3 N. give prior approval for any educational program
4 in a public school in the school district that is to be
5 conducted, sponsored, carried on or caused to be carried on by
6 a private organization or agency; and

7 O. hear appeals from the decision of the local
8 superintendent to terminate or discharge a licensed school
9 employee or terminate an unlicensed school employee; provided,
10 however, that a local school board may designate another person
11 to hear appeals."